

1 AN ACT concerning professional regulation.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Truth  
5 in Health Care Professional Services Act.

6 Section 5. Purpose. The General Assembly hereby finds and  
7 declares that:

8 (a) There are widespread differences regarding the  
9 training and qualifications required to earn the professional  
10 degrees. These differences often concern the training and  
11 skills necessary to correctly detect, diagnose, prevent, and  
12 treat illness or health care conditions.

13 (b) There is a compelling State interest in patients being  
14 promptly and clearly informed of the training and  
15 qualifications of the health care professionals who provide  
16 health care services.

17 (c) There is a compelling State interest in the public  
18 being protected from potentially misleading and deceptive  
19 health care advertising that might cause patients to have undue  
20 expectations regarding their treatment and outcome.

21 Section 10. Definitions. For purposes of this Act:

22 "Advertisement" denotes any communication or statement,

1 whether printed, electronic, or oral, that names the health  
2 care professional in relation to his or her practice,  
3 profession, or institution in which the individual is employed,  
4 volunteers, or otherwise provides health care services. This  
5 includes business cards, letterhead, patient brochures,  
6 e-mail, Internet, audio, and video, and any other communication  
7 or statement used in the course of business.

8 "Deceptive" or "misleading" includes, but is not limited  
9 to, any advertisement or affirmative communication or  
10 representation for health care services that misstates,  
11 falsely describes, or falsely represents the health care  
12 professional's skills, training, expertise, education, board  
13 certification, or licensure.

14 "Health care professional" means any person who treats  
15 human ailments and is subject to licensure or regulation by the  
16 State, including students and residents.

17 "Licensee" means a health care professional who holds an  
18 active license with the licensing board governing his or her  
19 practice in this State.

20 Section 15. Requirements.

21 (a) An advertisement for health care services must identify  
22 the type of license held by the health care professional  
23 advertising or providing services pursuant to the definitions,  
24 titles, and initials authorized under his or her licensing Act.  
25 The advertisement shall be free from any and all deceptive or

1 misleading information.

2 (b) A health care professional providing health care  
3 services in this State must conspicuously post and  
4 affirmatively communicate the professional's specific  
5 licensure by doing the following:

6 (1) The health care professional shall wear a name tag  
7 during all patient encounters that clearly identifies the  
8 type of license held by the health care professional,  
9 unless precluded by adopted sterilization or isolation  
10 protocols. The name tag shall be of sufficient size and be  
11 worn in a conspicuous manner so as to be visible and  
12 apparent; and

13 (2) If the health care professional has an office in  
14 which he or she sees current or prospective patients, then  
15 the health care professional shall display in his or her  
16 office a writing that clearly identifies the type of  
17 license held by the health care professional. The writing  
18 must be of sufficient size so as to be visible and apparent  
19 to all current and prospective patients.

20 (3) The health care professional must only use the  
21 licensure titles or initials authorized by his or her  
22 licensing Act or authorized by the professional licensing  
23 Act for students in training.

24 A health care professional who practices in more than one  
25 office shall comply with these requirements in each practice  
26 setting.

1 (b-5) A health care worker or provider who is not licensed  
2 by the State shall also wear a name tag during all patient  
3 encounters that clearly identifies his or her position or  
4 title. The name tag shall be of sufficient size and be worn in  
5 a conspicuous manner so as to be visible and apparent. No  
6 positions or titles that conflict with licensed health care  
7 professionals may be used.

8 (c) Health care professionals working in non-patient care  
9 settings, and who do not have any direct patient care  
10 interactions, are not subject to the provisions of subsection  
11 (b) of this Section.

12 Section 20. Violations and enforcement.

13 (a) Failure to comply with any provision under this Section  
14 shall constitute a violation under this Act.

15 (b) Each day this Act is violated shall constitute a  
16 separate offense and shall be punishable as such.

17 (c) Any health care professional who violates any provision  
18 of this Act is guilty of unprofessional conduct and subject to  
19 disciplinary action under the appropriate provisions of the  
20 specific Act governing that health care profession.

21 Section 97. Severability. The provisions of this Act are  
22 severable under Section 1.31 of the Statute on Statutes.

23 Section 99. Effective date. This Act takes effect July 1,  
24 2010.